

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

SKYLER LUSK, TIA COUNCIL, VIKTORIA  
O'BRIEN, AND JUSTIN BYROAD, *on behalf of  
themselves and all other employees similarly situated,*

Plaintiffs,

v.

SERVE U BRANDS, INC., INSOMNIA COOKIES,  
LLC, AND SETH BERKOWITZ,

*Defendants.*

STIPULATION AND PROPOSED  
ORDER

Civil Action No.

17-6451

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs Skyler Lusk, Tia Council, Viktoria O'Brien and Justin Byroad, and Defendants Serve U. Brands, Inc. and Insomnia Cookies, LLC (together "Defendants"), through their respective counsel, to the following schedule regarding defendants' motion to dismiss the claims of putative opt-in plaintiffs subject to individual dispute resolution agreements (Docket No. 67):

**September 27, 2018:** deadline for plaintiffs to file their response papers.

**October 11, 2018:** deadline for defendants to file their reply papers.

For *Plaintiffs*:

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For *Defendants*:

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Date: September 13, 2018

Date: September 13, 2018

SO ORDERED:

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Hon. Michael A. Telesca  
U.S.D.J.

Dated: